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November 1, 2023

VIA ECF

Hon. Denise L. Cote
U.S. District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1910
New York, NY 10007-1312

The parties shall prepare a schedule for the completion of the litigation in the event it is not resolved by the end of the year.
The request to adjourn

Re: XRiver Corp. v. Bruce S. Gillis et al. Case No. 23-cv-7346

Dear Judge Cote:

We represent Plaintiff XRiver Corp. in the above-captioned action. We submit this letter with the input and approval of counsel for the Defendants Dr. Bruce S. Gillis and Center for Immunology Science LLC (collectively, “Defendants”) to request an adjournment of the initial pre-trial conference currently scheduled for November 3, 2023 (ECF Doc. No. 8), for approximately 60 days to give the parties time to engage in mediation.

As Your Honor may recall, the parties reached an agreement regarding Defendants’ preliminary injunction motion (ECF Doc. Nos. 13-14) which rendered that motion moot. Since then, Defendants’ answered the complaint (ECF Doc. No. 35). Given the amount in dispute and the anticipated costs of litigation the parties now agree that the time is right for mediation to see if this action can be settled without burdening the Court or the parties with the time and expense of active litigation.

Therefore, the parties jointly and respectfully request that the Court adjourn the November 3, 2023 conference for 60 days, and schedule another conference in January 2024 after the Christmas holidays.

Respectfully submitted,

LOCKE LORD LLP

/s/ Shawn A. Brenhouse
Shawn A. Brenhouse

cc: Defendants’ Counsel (ECF)